**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR**
**&**
**THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR**

**MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929**

**WP(C).No. 32008 of 2007**
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**(IN E.A NO. 141/2006 IN EP NO. 16/2006 IN RCP NO. 3/2004 ON THE FILES OF THE RENT CONTROL COURT (MUNSIFF COURT) PERINTALMANNA)**

**PETITIONER:**
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**M.ABDUL SALAM,**
**S/O.ABDULLA MUSLIYAR (LATE), AGED 43 YEARS,**
**MATHILAKATH HOUSE, KEEZHATTOOR DESOM,**
**PONTHAVANAM DESOM, PERINTALMANNA TALUK,**
**MALAPPURAM DT.**
**(THIRD PERSON AND PETITIONER IN E.A.141/2006)**

**BY ADV. SRI.DEVIDAS.U.K**

**RESPONDENTS:**
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**1. K.RAMLATH, W/O.ABDUL AZEEZ, OWNER,**
**M/S.AI-AZEEZ COMMERCIAL CENTER,**
**HOSPITAL ROAD, PERINTALMANNA P.O.,**
**MALAPPURAM DT.**
**(PETITIONER IN THE E.P.16/2006 IN R.C.P.NO.3/04)**

**2. MUHAMMED HANEEFA.C.K.,**
**S/O.KUNHIMOHAMMED, HOSPITAL ROAD,**
**PERINTALMANNA P.O., MALAPPURAM DT.**
**(RESPONDENT IN THE E.P.16/2006 IN R.C.P.NO.3/04).**

**BY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**K.BALAKRISHNAN NAIR & T.R.RAMACHANDRAN NAIR, JJ.**

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Writ Petition (C) No.32008 of 2007-I

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Judgment

Balakrishnan Nair, J.

The petitioner has approached this Court, seeking a direction to the Rent Controller, Perinthalmanna, to dispose of Ext.P4 application expeditiously. If the petitioner is aggrieved by the delay in the disposal of that application, he may move that court itself by filing a petition for its early disposal. If such an application is filed, we find no reason, why the Court will not consider the same in accordance with law. We feel that this Court, normally, should not issue directions to courts below under Article 227 of the Constitution of India concerning early disposal of matters pending before them. The said power has to be exercised only sparingly. In the result, the Writ Petition is closed without prejudice to the right of the petitioner to move the Rent Controller for early hearing of the aforementioned application.

**K.BALAKRISHNAN NAIR,JUDGE**

29.10.2007 **T.R.RAMACHANDRAN NAIR, JUDGE**

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